IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.726 OF 2006

In

WRIT PETITION NO.1959 OF 2003

M/s.Standard Batteries Limited : Appellant

(Orig. Petitioner)

V/s.

Presiding Officer, III Labour Court

& Ors. : Respondents

(Orig. Respondents)

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Mr.Sudhir Talsania with Mr.B.R.Palav i/b. Udwadia Udeshi for the appellant.

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CORAM : R.M.LODHA & S.A.BOBDE,JJ.

DATE : OCTOBER 16, 2006.

P.C.

1. We heard Mr.Sudhir Talsania, senior counsel for the appellant.

2. He fairly submitted that the amount of interest involved in the present appeal is about Rs.45,000/- and the appellant would not have ordinarily challenged the order involving such meagre amount, but for the fact that

in other two Writ Petitions (Writ Petition no.1959 of 2003 and 2075 of 2004), similar issue of interest of about Rs.1.5 crores is involved and, hence, the present appeal.

3. He submitted that if it was clarified that the impugned order shall not be cited in the two Writ Petitions referred to above, the Court may not go into the contentions raised in the appeal challenging the impugned order.

4. In the light of the submissions of the senior counsel for the appellant, we are satisfied that this appeal does not deserve to be entertained, in view of the meagre amount of interest involved. However, it is clarified that the impugned order shall not be cited as a precedent in Writ Petition nos.1959 of 2003 and 2075 of 2004. Those Writ Petitions shall be decided on their own merits.

5. With the aforesaid clarification, the appeal stands disposed of.

R.M. LODHA, J.

S.A. BOBDE, J.